

## **Exceptions to Prohibitions on Non-essential Pesticides Regulations**

made under Section 16 of the

Non-essential Pesticides Control Act

S.N.S. 2010, c. 6

O.I.C. 2010-427 (November 30, 2010, effective April 1, 2011), N.S. Reg. 184/2010

### Citation

1 These regulations may be cited as the Exceptions to Prohibitions on Non-essential Pesticides Regulations.

### Definition of “Act”

2 In these regulations, “Act” means the Non-essential Pesticides Control Act.

### Exceptions to prohibition on use of pesticide on lawn

3 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 4(2) of the Act.

(2) A person may use or cause or permit the use of a pesticide in, on or over a lawn, as defined in subsection 4(1) of the Act, for 1 or more of the following purposes:

(a) to destroy, prevent or control a species of animal that bites, stings, is venomous or carries disease;

(b) to destroy, prevent or control a species of fungus or species of animal that may negatively affect a building, structure or machine if the pesticide is used in the vicinity of the building, structure or machine;

(c) to destroy, prevent or control an alien invasive species, other than a plant species, that may negatively affect the health of humans, the environment or the economy.

(3) A person may use or cause or permit the use of a pesticide containing glyphosate in, on or over a lawn, as defined in subsection 4(1) of the Act, for 1 or more of the following purposes:

(a) to destroy, prevent or control a species of plant that is poisonous to humans by touch;

(b) to destroy, prevent or control a species of plant that may negatively affect the physical state of a building, structure or machine, but only if the pesticide is used in the vicinity of the building, structure or machine;

(c) to destroy, prevent or control an alien invasive plant species that may negatively affect the health of humans, the environment or the economy.

Exceptions to prohibition on selling or supplying pesticide labelled for use on lawns or turf

4 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 5(1) of the Act.

(2) A person may sell, supply or offer for sale a pesticide labelled for use on lawns or labelled for use on turf if all of the following conditions are met:

(a) the use of the pesticide is permitted under Section 3;

(b) any person to whom the pesticide is sold or supplied is provided with written information about the circumstances under which the pesticide is permitted to be used as set out in Section 3;

(c) the pesticide is sold or supplied through a person who holds a Class I certificate of qualification (Vendor's Certificate) issued under the Pesticide Regulations made under the Environment Act;

(d) before the pesticide is sold or supplied, the pesticide is located or secured in a manner that prevents it from being accessed directly by the public.

Exceptions to prohibition on use of pesticides on outdoor tree, shrub, flower or other ornamental plant

5 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 4(3) of the Act.

(2) After April 1, 2012, a person may use or cause or permit the use of a pesticide in, on or over an outdoor tree, shrub, flower or other ornamental plant for one or more of the following purposes:

(a) to destroy, prevent or control a species of animal that bites, stings, is venomous or carries disease;

(b) to destroy, prevent or control a species of fungus or species of animal that may negatively affect a building, structure or machine, but only if the pesticide is used in the vicinity of the building, structure or machine;

(c) to destroy, prevent or control an alien invasive species, other than a plant species, that may negatively affect the health of humans, the environment or the economy.

(3) After April 1, 2012, a person may use or cause or permit the use of a pesticide containing glyphosate in, on or over an outdoor tree, shrub, flower or other ornamental plant for one or more of the following purposes:

(a) to destroy, prevent or control a species of plant that is poisonous to humans by touch;

(b) to destroy, prevent or control a species of plant that may negatively affect the physical state of a building, structure or machine, but only if the pesticide is used in the vicinity of the building, structure or machine;

(c) to destroy, prevent or control an alien invasive plant species that may negatively affect the health of humans, the environment or the economy.

(4) After April 1, 2012, a person may use or cause or permit the use of a pesticide in an outdoor tree if the pesticide is applied through injection.

Exceptions to prohibition on selling or supplying pesticide labelled for use on outdoor tree, shrub, flower or other ornamental plant

6 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 5(2) of the Act.

(2) After April 1, 2012, a person may sell, supply or offer for sale a pesticide labelled for use on an outdoor tree, shrub, flower or other ornamental plant if all of the following conditions are met:

(a) the use of the pesticide is permitted under Section 5;

(b) any person to whom the pesticide is sold or supplied is provided with written information about the circumstances under which the pesticide is permitted to be used as set out in Section 5;

(c) the pesticide is sold or supplied through a person who holds a Class I certificate of qualification (Vendor's Certificate) issued under the Pesticide Regulations made under the Environment Act;

(d) before the pesticide is sold or supplied, the pesticide is located or secured in a manner that prevents it from being accessed directly by the public.

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